



## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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| Г       | APPLICATION NO. | FILING DATE               | FIRST NAMED INVENTOR |  |               | TORNEY DOCKET NO. |
|---------|-----------------|---------------------------|----------------------|--|---------------|-------------------|
| <u></u> | 09/117,92       | 03/04/                    | 99 BROUN             |  | P             | PM255164          |
| _       |                 |                           | HM22/0110            |  | EX            | AMINER            |
| '       | PILLSBURY       | PILLSBURY MADISON & SUTRO |                      |  | MCELWAIN,E    |                   |
|         |                 | YORK AVENU                | <del>-</del> ····    |  |               | 1                 |
|         | NINTH FLO       | OR EAST TO                | WER                  |  | ART UNIT      | PAPER NUMBER      |
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|         |                 |                           |                      |  | DATE MAILED:  | 01/10/01          |

Please find below and/or attached an Office communication concerning this application or pr ceeding.

**Commissioner of Patents and Trademarks** 

Serial No. 09/117,921 Art Unit 1638

The communication filed October 4, 2000 is not fully responsive to the Office communication mailed July 13, 2000 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the above-mentioned reply appears to be *bona fide* attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE** (1) **MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth F. McElwain whose telephone number is (703) 308-1794. The examiner can normally be reached on Tuesday through Friday from 7:30 AM to 5:00 PM. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached at (703) 308-4310. The fax phone number for this Group is (703) 308-4242. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

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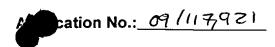
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PRIMARY EXAMINER
GROUP 1600
ELTTMEL

November 21, 2000





## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

|    | 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). |
|----|---|
|    | <ol><li>This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence<br/>Listing" as required by 37 C.F.R. 1.821(c).</li></ol>  |
|    | 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).   |
| V  | 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."   |
|    | 5. The computer readable form that has been filed with this application has been found to be damaged<br>and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute<br>computer readable form must be submitted as required by 37 C.F.R. 1.825(d).   |
|    | 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).  |
|    | 7. Other:   |
| Аp | plicant Must Provide:   |
| X  | An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".   |
| X  | An initial or <u>substitute</u> paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.   |
| X  | A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).  |
| Fo | r questions regarding compliance to these requirements, please contact:   |
| Fo | r Rules Interpretation, call (703) 308-4216 r CRF Submission Help, call (703) 308-4212 tentIn Software Program Support Technical Assistance703-287-0200 To Purchase PatentIn Software703-306-2600   |
|    |   |

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